

Annex 3 a – CUSTOMER DUE DILIGENCE QUESTIONNAIRE –

NPL

Natural Person Customer

Dear Investor,

to comply with the AML duties requested by the Legislative Decree No. 231 dated 21 November 2007, as subsequently amended and supplemented, on prevention of the use of the financial systems for the purpose of laundering the proceeds from criminal activities and terrorist financing, we ask you to fill in the following questionnaire.

The above-mentioned implementing legislation requires, to have a complete identification and an adequate knowledge of the client and the eventual Beneficial Owner¹, to gather further information to those requested during the on-boarding phase, even for the acquired customers.

The legislation demands the client² to provide, under its own responsibility, all the information required and update to allow the Bank to meet its customer due diligence obligations. It provides specific sanctions in the case that the information is not provided or false.

As dictated by article 42 of the Legislative Decree 231/2007 and in the case that it is not possible to comply with the customer due diligence duties, the Bank cannot proceed to open a relation, to execute an operation, and it is necessary to end the already established relations. The same obligation is expected in the case of on-going business relations or operations in which fiduciary trust, companies, anonymous companies, or companies controlled through bearer shares and located in high-risk third countries take part, directly or indirectly.

The information provided will be also used by the Bank to comply with the legislation on Banking transparency governed by Title VI of the Legislative Decree 385/1993 and the related implementing dispositions, that lay down, the informative obligations for the banks, differentiated into clients' categories.

The Questionnaire is composed of 5 sections:

- **SECTION A:** identification details of the Natural Person (Client) counterparty of the relation or the operation put in place with Guber Banca S.p.A.;
- **SECTION B:** identification details of the Natural Person (Executor) who is appointed to act in the name and on behalf of the Person at Section A (when different from the Client);
- **SECTION C:** identification details of the Beneficial Owner/s of the Person at Section A (when different from the Client);
- **SECTION D:** details of the relation or the occasional operation put in place;
- **SECTION E:** section to be filled by Guber Banca S.p.A.;

Information on the Processing of Personal Data

The above information is provided to the customer, and, through him, to any beneficial owner, also in accordance with the privacy legislation (see EU Regulation 2016/679). We also inform that the provision of personal data for the identification of the interested party and for the completion of this questionnaire is mandatory by law and, in the event of their failure to issue, the Bank will not be able to proceed to establish or continue the relationship as well as to execute the requested operation and will have to evaluate whether to report to the UIF at the Bank of Italy. The data of the interested party may also be processed with computerized procedures for the following purposes: 1) identify the money laundering risk profile associated with customers and with the operations carried out by the same, in order to adapt the verification activities required by the law; 2) identify the category to which the customer belongs, in order to adapt the disclosure obligations imposed on the Bank by the legislation on banking transparency. The Bank, if it holds the title of "third party" pursuant to art. referred to in Section III, Chapter I, Title II, of the legislative decree n. 231/2007 and subsequent amendments and additions, may transmit the information contained in this questionnaire as well as the necessary copies of the identification and verification data and any other relevant document concerning the identity of the customer or of the beneficial owner/s. For the contact details of the data protection officer, and for any other information on the use of the data (also in relation to storage times) and on the rights of the interested party (Chapter III of EU Regulation 679/2016), please consult the more detailed information provided by the Bank and available on our website. Therefore, please refer to this document and forward it to the beneficial owner, if applicable.

¹ Pursuant to art. 1, comma 2, lett.pp), of Lgs. Decree 231/2007 and successive amendments, the beneficial owner is: the natural person/s, other than the client, in the interest of whom, the ongoing business relation is established, the professional performance is rendered, or the operation is executed.

² In the footnotes are indicated the laws related to the duties and responsibilities of the client (see artt. 22 e 55, comma 3).

For the purpose of completeness of the information here under, and in relation to the penal sanctions as in the Legislative Decree 231/2007 and subsequent amendments, we invite the Investors to inspect the information provided in footnotes in the present questionnaire.

Section A (In the case that there are co-owners proceed to the related identification filling in other copies of the present section)

Identification details of the Client
(N.B.: attach a copy of the Identification Document)

Surname and Name _____

Place of Birth _____ (____) Date of Birth

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Gender

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 M

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 F

Country of Birth _____ Nationality _____

Residence _____

City _____ Region _____ ZIP Code _____ Country _____

Domicile (fill in only if different from residence) _____

City _____ Region _____ ZIP Code _____ Country _____

Type of document _____ N° _____ Date of Issue

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Issuing Authority _____ Expiry Date

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Profession _____

e-mail address _____ Telephone Number _____

The Client is a Politically Exposed Person, a direct relative or a close connection with a Politically Exposed Person?

☐ YES Position Held/Relation _____ ☐ NO

Have you covered the status of PEP?

☐ YES Until _____ ☐ NO

Other Information on the Client

1. Profession (activity carried out by the Client)

☐ Self-Employee ☐ Public Employee ☐ Employee ☐ Entrepreneur

☐ Freelance ☐ Unemployed (specify past activity) _____

☐ Retired/Housewife (specify past activity) _____ ☐ Other (Specify) _____

2. Economic activities characterized by high cash flows and/or the use of cash money

☐ YES ☐ NO

3. Economic activities in the field of public procurement

☐ YES ☐ NO

4. Activity Sector / Occupation³ _____

5. Average annual income _____ €

6. Foreign Country where the activity takes place

☐ YES (specify) _____ ☐ NO

7. Pending Processes

Tax Processes ☐ YES (specify) _____ ☐ NO

Criminal Processes ☐ YES (specify) _____ ☐ NO

Administrative Processes ☐ YES (specify) _____ ☐ NO

8. Past Processes that have become final with condemnation

Tax Processes ☐ YES (specify) _____ ☐ NO

Criminal Processes ☐ YES (specify) _____ ☐ NO

Administrative Processes ☐ YES (specify) _____ ☐ NO

³ For example: Education, Agriculture, Money Transfer, Constructions, Commerce, Supply of Services, Waste Management, Healthcare, etc.

Section BIdentification details of the **Executor**⁴

(N.B attach a copy of the Identification Document)

☐ Curator⁵
☐ Legal Guardian⁶
☐ Support Administrator⁷
☐ Other (specify) _____

Surname and Name _____

Place of Birth _____ (____)

Date of Birth

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Gender

☐ M

☐ F

Country of Birth _____

Nationality _____

Residence _____

City _____

Region _____

ZIP Code _____

Country _____

Domicile (fill in only if different from residence) _____

City _____

Region _____

ZIP Code _____

Country _____

Type of document _____

N° _____

Date of Issue

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Issuing Authority _____

Expiry Date

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Profession _____

The Executor is a Politically Exposed Person, a direct relative or a close connection with a Politically Exposed Person?

☐ YES

Position Held/Relation _____

☐ NO

Have you covered the status of PEP?

☐ YES

Until _____

☐ NO

In the case that there are more executors/delegates or other subjects who act in the name and on behalf of the client, fill in more copies of the present section.

⁴ **Executor** (art. 1 comma 2, lett. P of lgs. Decree 231/07 and subsequent amendments): the person who is appointed to act in the name and on behalf of the Client or who is granted powers of representation enabling the former to act in the name and on behalf of the Client.

⁵ **Curator** (Art. 415 c.c.): subject in charge of legal protection recognized for "the mentally ill adult, whose state is not so serious as to give rise to the interdiction, who can be incapacitated. Are incapacitated those who (...) expose themselves and their family to serious economic prejudice (...) the deaf and dumb from birth or from early childhood, those who did not receive sufficient education".

⁶ **Legal Guardian** (Art. 357 c.c.): subject in charge of the protection of persons who, as minors or disqualified persons, are unable to look after their own interests personally and with respect to which they assume the role of legal representative of the incapable, with powers of representation and management of assets".

⁷ **Support Administrator** (Art. 404 c.c.): subject in charge, by appointment of a tutelary judge, to assist the person who, "as a result of an infirmity of physical or mental impairment, is unable, even partial or temporary, to provide for their own interests".

Section C

Identification details of the **Beneficial Owner**⁸ (choose between one of the options)
(N.B attach a copy of the Identification Document)

Noted the definition of Beneficial Owner indicated in the present Customer Due Diligence Questionnaire I declare under my responsibility:

The Beneficial Owner of the relation/occasional operation coincides with the Client?

☐ YES (do not fill in the following section)

☐ NO (insert details related to the principal debtor/beneficial owner of the principal debtor if it is a Legal Entity)

Name and Surname _____

Place of Birth _____ (____)

Date of Birth

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Country of Birth _____

Nationality _____

Gender ☐ M ☐ F

Residence _____

City _____ Region _____ ZIP Code _____ Country _____

Domicile (fill in only if different from residence) _____

City _____ Region _____ ZIP Code _____ Country _____

Type of document _____ N° _____ Date of Issue

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Issuing Authority _____ Expiry Date

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Profession _____

The Beneficial Owner is a Politically Exposed Person, a direct relative or a close connection with a Politically Exposed Person?

☐ YES Position Held/Relation _____ ☐ NO

Have you covered the status of PEP?

☐ YES Until _____ ☐ NO

Pending Processes

Tax Processes ☐ YES (specify) _____ ☐ NO

Criminal Processes ☐ YES (specify) _____ ☐ NO

Administrative Processes ☐ YES (specify) _____ ☐ NO

Past Processes that have become final with condemnation

Tax Processes ☐ YES (specify) _____ ☐ NO

Criminal Processes ☐ YES (specify) _____ ☐ NO

Administrative Processes ☐ YES (specify) _____ ☐ NO

Describe the type of relation existing between the principal debtor and the Client (payer)

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.....

⁸ For the definition of Beneficial Owner refer to the information at the footnotes.

Identification Detail of the principal debtor **(fill in only if it is a Legal Entity)**

Corporate
Purpose

Tax
Code/VAT
Number

In the case that there are more beneficial owners, fill in more copies of the present section.

Section D

Details of the Relation/Occasional Operation

☐ Established Business
Relation

☐ Occasional Operation

1. Operation Amount (Only in the case of Occasional Operation) _____ €

 2. Reference Bank for payments/
Payment network _____

 Accountholder/Cardholder
and Last digits of the
Card _____

3. Nature of the Relation/Occasional Operation in place

☐ Repayment plan ☐ Full and final settlement ☐ Other (specify) _____

4. Purpose of the Relation/Occasional Operation in place

☐ Total extinction of the debt position

☐ Partial extinction of the debt position

☐ Payment for purchase of mortgaged/distrained property with contextual extinction of prejudice formalities

☐ Payment third giver of mortgage or third purchaser mortgaged property to extinguish prejudice formalities

☐ Payment of third stranger to the debt position because: _____

☐ Payment of third for purchase of credit (Specify purpose of purchase) _____

☐ Other (Specify) _____

5. Origin of funds used for Relation/Occasional Operation in place

☐ Revenues from work/business/retirement *produce the relative documentation proving the declaration: e.g. copy of paycheck, tax return, unico model, VAT return, 730 declaration*
☐ Own funds (e.g.: savings, sale of assets, legacy, donation, other) *produce the relative documentation proving the declaration: e.g. tax return, preliminary of property sale, notarial deed of real estate sale, declaration of inheritance, deed of gift*
☐ Loan from a Bank/ Finance Company *attach the relative documentation proving the declaration: e.g. copy of concession bank credit/bank account financing credit slip*
☐ Assistance from friends and family for **a single amount/total amount of the repayment plan < equal to 14.999 eur** *provide client's declaration relative to the personal extremes, ID of the lenders, origin of funds, means of payment used and indication of their work activity*
☐ Assistance from friends and family for **a single amount/ total amount of the repayment plan > equal 15.000 eur** *provide individual lenders' declaration, together with information related to the personal extremes, work, economic and patrimonial situation, contribution with the indication of the amount given by each subject, means of payment used and the specification of the reason of their assistance*
☐ Sale of property contextual to the release of waivers to proceed – real guarantees- contentious judgments, payment of sums (check – transfer, etc) directly from the buyer from the credit holder

☐ Other (specify) _____

6. Country / Region of Funds

☐ North of Italy

☐ Centre Italy

☐ South of Italy

☐ Italy

☐ UE Country

☐ Non-UE Country

☐ Off-Shore
Country

Documents to attach:

- copy of the Identification Document of the Client/s, Executor/s, Beneficial Owner/s;
- documentation proving the powers of representation (only for executors);

Other documents to attach:

- **documents supporting the origin of funds used for Relation/Occasional Operation in place as referred to in the individual points of Section D, point 5;**
- other (specify eventual material provided by the Client)

I, the Undersigned declare, under my own responsibility, pursuant to and in accordance with Legislative Decree n. 231/07 ad successive amendments, that the above statements are truthful and hereby undertake to timely notify the Bank of any changes in the contents hereof.

DATE

.....

SIGNATURE

.....

Normative References: Legislative Decree n. 231/2007 (as subsequently amended and supplemented)

Client Obligations

Art. 22, comma 1 – the clients provide, by writing, under their own responsibility all the necessary and updated information to allow the obliged subject to comply with due diligence duties.

Art. 55, comma 3 – If the case does not constitute a serious crime, anyone who is obliged, pursuant to this Decree, to provide details and information necessary for customer due diligence, provides false information or details, is punished with reclusion from six months to three years and a fine from 10.000 euro to 30.000 euro.

Beneficial Owner Definition – art. 1 comma 2 letter pp) e art.20 of Lgs. Decree 231/2007 And successive amendments

The Beneficial Owner is the natural person/s, other than the client, in the interest of whom, the ongoing business relation is established, the professional performance is rendered, or the operation is executed.

The Beneficial Owner of clients other than natural persons coincides with the natural person/s to whom the direct or indirect property, or the control of the company is attributable.

In the case that the Client is a legal entity, the beneficial owner is the same as:

- a) all natural persons directly holding more than 25% of the share capital or voting rights;
- b) all natural persons indirectly holding more than 25% of the share capital or voting rights, owned through subsidiary companies, trust companies or third parties.

In the absence of verification of one of the hypotheses described above, the beneficial owner coincides with the natural persons who have control of the company by virtue of:

- a) control over the majority of the voting rights which may be cast at a company's ordinary shareholders' meeting;
- b) control of sufficient votes to exercise a dominant influence in the ordinary shareholders' meeting;
- c) the existence of particular contractual obligations that allow the exercise of a dominant influence.

In the case that the client is a private legal entity, pursuant to the Decree of the President of Republic 10 February 2000, n. 361, the beneficial owners are cumulatively identified as:

- a) the founders, if alive;
- b) the beneficiaries, when identified or easily identifiable;
- c) the holders of powers of representation, administration, or management powers of the company.

Where the application of the criteria referred to in the points above does not enable one or more beneficial owners to be identified unambiguously, the beneficial owner shall be the same as all natural persons with administration or management powers of the company.

Nozione di persona politicamente esposta- Art. 1, comma 2, letter dd) of Lgs. Decree 231/2007 And successive amendments

Politically Exposed Persons: natural persons who hold or ceased to hold since less than a year, public positions, as well as their direct relatives or other people with whom they are known to have close relationships, as indicated below.

Natural Persons who hold or held important public positions are those that hold or held the position of:

- 1.1 Heads of State, Prime Ministers, ministers and deputy ministers or undersecretaries, Regional Presidents, Mayors, Mayors of cities with a population over 15.000 people and similar position in foreign countries;
- 1.2 Members of Parliament;
- 1.3 Members of central boards of political parties;
- 1.4 Members of Supreme Courts, Constitutional Courts, and of other high-level Judicial Bodies whose decisions are generally subject to any further appeal, except under special circumstances;
- 1.5 Members of the board of directors of central banks and Independent Authorities;
- 1.6 Ambassadors, charg  d'affaires, and top officers of the armed forces;
- 1.7 Members of the administration, management, or supervisory bodies of enterprises controlled, directly or indirectly, by the State, or participated predominantly by regions, cities with a population over 15.000 people;
- 1.8 General Director of ASL and hospital companies and other entities at the service of National Health Care;
- 1.9 Director, Deputy director and member of the Board of directors or subject who holds similar positions in international organizations;
- 2. Direct relatives of Politically Exposed Persons are: the parents, the spouse or the person tied in civil union or domestic partnership or any similar institutions, the children and their spouses or similar institutions;
- 3. Persons with close connections with Political Exposed Persons are:
 - 3.1 Any natural person who is known to hold a joint Beneficial Ownership of Legal Entities or any other close business relationship with a person who holds or has held an important public position;
 - 3.2 Any natural person who is the sole Beneficial Owner of legal entities of legal institutes that were de facto set up for the benefit of the person who holds or held an important public position.

Section E**To be filled by the Bank****1. Client's behaviour during the identification procedure**☐

The client promptly provided the documents and information requested in a complete way

☐

The client did not provide the documents and information requested in a complete way

☐

The client refused to release the requested documents and information

2. Way of establishment and development of the operation☐

Physical presence of the client (or of his/her representative)

☐

Absence of the client, hence impossibility of direct identification

3. Reasonableness of the relation given the activity carried out and the financial resources available☐

The required product or the operation executed appear coherent

☐

The required product or the operation executed appear partly coherent

☐

The required product or the operation executed appear incoherent

4. Other observations**If the identification was carried out with physical presence of the client**

I the Undersigned, in charge of identification pursuant to the Legislative Decree n. 231/07 ad successive amendments, declare, under my own responsibility, to have proceeded at the identification in accordance with the AML legislation and that the gathered information correspond to the documents show and attachments and to the information provided by the client. The signatures hereof have been made in person and in the presence of the indicated persons and duly identified.

Name and Surname of the employee.....

Place and date.....

Signature.....

If the identification was carried out without physical presence of the client

I the Undersigned, in charge of identification pursuant to the Legislative Decree n. 231/07 ad successive amendments, declare, under my own responsibility, to have proceeded at the identification in accordance with the AML legislation and that the gathered information correspond to the documents show and attachments and to the information provided by the client:

☐

By phone

☐

Through correspondence via

☐

Other (specify)

Name and Surname of the employee

Place and date

Signature.....